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ART UNIT	PAPER NUMBER
2661	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/703,038	BREWER ET AL.
	Examiner	**Art Unit**	
	Anthony T Ton	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>08 April 2004</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-62*</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>*1-62*</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some *   c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5</u>.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTIONS

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2.   **Claim 23** is rejected under **35 U.S.C. 112, first paragraph**, as failing to comply with the written description requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The Applicants amended Claim 23 as follows: The router system of claim 22 wherein said at least one packet segment is selected from the group consisting of portions of packets larger than said chunk payload, portions of packets equal in size to said chunk payload, and portions of packets smaller in size than said chunk payload.

However, the claimed subject matters of this claim are not adequately disclosed by the Applicants' specification. The Examiner could not find any disclosures in the Applications' specification, page 9, lines 13-14 and among other places that disclosed such claimed subject matters: "said at least one packet segment is selected from the group **consisting of** portions of packets larger than said chunk payload, portions of packets equal in size to said chunk payload, and portions of packets smaller in size than said chunk payload.".

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-4, 14-22, 24-29, 37-48, 53** and **57-62** are rejected under 35 U.S.C. 103(a) as

being unpatentable over **Woodward et al.** (US Patent No. **6,151,318**) in view of **Miles et al.** (US

Patent No. **6,665,495**), hereinafter referred to as Woodward and Miles, respectively.

a) **Regarding to Claim 1: Woodward disclosed** a system, comprising:

a switch fabric configured such that information flows through said switch fabric from a

plurality of source ports to a plurality of destination ports in substantially fixed sized chunks *(see*

Fig. 1 for multiple ATM cells encapsulated in a single packet), each said chunk being formatted

to include a framing symbol *(see fragment type 34 in Fig. 1; this fragment type functions as the*

framing symbol of the claimed limitation of this claim; for detailed description of such a type,

see col.3 lines 40-65 and col.5 lines 2-19).

Based on the above disclosures, **Woodward failed to teach** a switch fabric and a

plurality of source and destination ports in his system.

However, Miles clearly disclosed such a switch fabric *(see block 30 in Fig.4)* and a

plurality of source and destination ports *(see Ingress and Egress edge units in Fig.4)*.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such a switch fabric and a plurality of source and destination ports as taught by Miles

with Woodward for routing data information from a plurality of source ports through a switch

fabric to a plurality of destination ports. The motivation for doing so would have been to make

Woodward's packets be transmitted faster and reduced errors. Therefore, it would have been

obvious to combine Miles and Woodward the invention as specified in this claim.

b) **Regarding to Claims 2 and 3: Woodward disclosed** all aspects of these claims as set

forth in claim 1.

Woodward did not disclose the location of the framing symbol and the length of the

framing symbol. However, the location and length of a framing symbol is well known in the art

of invention.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such location and length of a framing symbol teaching in the instant with Woodward

design choice in order to route data information through the system of Woodward. The

motivation for doing so would have been to provide Woodward operate in a frame-relay

network. Therefore, it would have been obvious to combine the instant claim and Woodward the

invention as specified in this claim.

c) **Regarding to Claim 4: Woodward disclosed** all aspects of this claim as set forth in

claims 1 and 3.

Woodward did not clearly disclose two bits of said framing symbol intermixed in each

of 56 contiguous bytes of said chunk immediately followed by two contiguous bytes of said

framing symbol. However, Woodward disclosed fragment type included in each packet *(see*

Fig.3).

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such a claimed invention teaching in the instant with Woodward, so that data

information in a frame-relay network can be transmitted by Woodward' system. The motivation

for doing so would have been to provide Woodward operate in a frame-relay network. Therefore,

it would have been obvious to combine the instant claim and Woodward the invention as

specified in this claim.

d) **Regarding to Claims 14, 15** and **22**: **Woodward further disclosed** the router system

of claim 1 wherein each said chunk is further formatted to include a chunk header as recited **in**

claim 14 *(see block 32 in Fig.1);*

the router system of claim 14 wherein said chunk header includes identification of chunk

type as recited **in claim 15** *(see col.2 lines 56-59)*; and

the router system of claim 1 wherein each said chunk further contains a chunk data

payload comprising at least one packet segment and an associated packet header as recited **in**

claim 22 *(see Block 36 in Fig.1).*

e) **Regarding to Claims 16** and **24**: **Woodward disclosed** all aspects of these claims as

set forth in claims 1 and 14.

Woodward failed to teach said switch fabric is partitioned into a plurality of working

subplanes as recited **in claim 22**, and said switch fabric comprises an optical switch as recited **in**

claim 24.

Miles clearly disclosed such said switch fabric is partitioned into a plurality of working

subplanes *(see Figs.1-3)*; and said switch fabric comprises an optical switch *(see block 30 in*

Fig.4).

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such subject matters of these claims as taught by Miles with Woodward for routing data

information from a plurality of source ports through a switch fabric to a plurality of destination

ports. The motivation for doing so would have been to provide good service to customers.

Therefore, it would have been obvious to combine Miles and Woodward the invention as

specified in these claims.

f) **Regarding to Claims 17, 18, 20** and **21**: **Woodward further disclosed** the router

system of claim 16 wherein said chunk header includes identification of a specific routing

subplane through said switch fabric as recited **in claim 17** *(see col.2 lines 56-59);*

the router system of claim 14 wherein said chunk header includes a header parity as

recited **in claim 18** *(see a header parity can be included in the additional header information 32*

as recited in col.2 lines 56-59);

the router system of claim 14 wherein said chunk header includes a master chunk bit as

recited **in claim 20** *(see two Bytes PAD in Fig.3; one bit of these Bytes can be used as master bit*

in the 16th data packet; wherein this packet is considered as a master packet); and

the router system of claim 14 wherein said chunk header includes a sequence number as

recited **in claim 21** *(see col.6 lines 48-57).*

g) **Regarding to Claim 19**: **Woodward disclosed** all aspects of this claim as set forth in

claims 1 and 14.

Woodward failed to explicitly teach wherein said chunk header includes identification

of source port and destination port for said chunk. However, it is inherent that Woodward taught

these subject matters of this claim because the ID of source and destination ports (addresses) is

official notice.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such identification of source port and destination port for said chunk teaching in the instant claims with Woodward since it is old and well known in the environment of the invention. The motivation for doing so would have been to provide proper source and destination addresses to communication nodes in a network. Therefore, it would have been obvious to combine the instant claim and Woodward the invention as specified in this claim.

h) **Regarding to claims 25** and **26: Woodward disclosed** a method of information flow through a network router system comprising:

encapsulating input data packets from a plurality of source ports into substantially fixed sized chunks *(see Fig.1 for multiple ATM cells encapsulated in a single packet);*

formatting overhead information onto each of said chunks, said overhead including a framing symbol *(see fragment type 34 in Fig.1; this fragment type functions as the framing symbol of the claimed limitation of this claim; for detailed description of such a type, see col.3 lines 40-65 and col.5 lines 2-19);*

performing error detection and error correction on said chunks *(see col.2 lines 31-32 for error detection, and col.8 line 35-37 for error correction)*;

removing said overhead information from said chunks *(see step 540 in Fig.5)*;

reassembling said input data packets out of said chunks *(see step 550 in Fig.5)*; and

wherein all information flows through said switch fabric in said substantially fixed sized chunks *(see Fig.1; multiple ATM cells encapsulated in a single packet).*

Woodward failed to explicitly teach a step of directing said chunks through a switch fabric toward a plurality of destination ports.

Miles clearly disclosed such a step *(see block 30 in Fig.4)*.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such a step of directing said chunks through a switch fabric toward a plurality of destination ports as taught by Miles with Woodward for routing data information through a switch fabric to a plurality of destination ports properly. The motivation for doing so would have been to make Woodward faster in a multiple customer service network. Therefore, it would have been obvious to combine Miles and Woodward the invention as specified in these claims.

i) **Regarding to Claims 27-29, 37-44 and 45**: These claims are rejected for the same reasons as claims 2-4, 14-21 and 24, respectively because the method steps claimed can be practice with the apparatus in the claims 2-4, 14-21 and 24.

j) **Regarding to Claim 47**: This claim is rejected for the same reasons as claim 17 because the method steps claimed can be practice with the apparatus in the claim 17.

k) **Regarding to claims 46, 48 and 53**:   **Woodward disclosed** all aspects of these claims as set forth in claims 25, 27, 37, 38 and 42.

Both Woodward and **Miles did not clearly teach** the following subject matters of the claims: wherein said directing comprises using said identification of chunk type in said chunk header to enable guaranteed bandwidth chunks to pass ahead of best effort chunks through said switch fabric as recited **in claim 46**; wherein said directing comprises using said identification in said chunk header of source port and destination port to route said chunks from a selected source port to a selected destination port as recited **in claim 48**; and wherein said directing comprises using said framing symbol in each said chunk to determine uniquely within a stream of bits the beginning and the trailing end of said chunk as recited **in claim 53**.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such subject matters teaching in the instant claims with Woodward as design choices. The motivation for doing so would have been to route data information through a communication network properly. Therefore, it would have been obvious to combine the instant claims and Woodward the invention as specified in these claims.

l) **Regarding to claims 57-62**:   **Woodward disclosed** all aspects of these claims as set forth in claims 25, 37 and 44.

Woodward did not clearly teach the following subject matters of the claims: wherein said performing error detection and correction comprises using said sequence number in said chunk header for alarming and for alerting that a chunk potentially was corrupted as recited **in claim 57**; wherein a re-initialize bit is used to enable reinitialization of said sequence number, such that said alarming is avoided as recited **in claim 58**; wherein said performing error detection and correction comprises using said identification in said chunk header of source port and destination port to verify the route of said chunks from a selected source port to a selected destination port as recited **in claim 59**; wherein said substantially fixed sized chunks each have a length of approximately 400 bytes as recited **in claim 60**; wherein said fixed sized chunk contains multiple data packets as recited **in claim 61**; and wherein said fixed sized chunk contains a segment of a data packet, said data packet having a length greater than 400 bytes as recited **in claim 62**.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such subject matters teaching in the instant claims with Woodward as design choices The motivation for doing so would have been to route data information through a communication

network properly. Therefore, it would have been obvious to combine the instant claims and

Woodward the invention as specified in these claims.

5.   **Claims 5, 6, 11, 12, 30, 31, 55** and **56** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Woodward** (US Patent No. **6,151,318**) in view of **Miles** (US Patent No.

6,665,495) as applied to claims 1, 3, 4 and 25 above, and further in view of **Feldmeier** (US

Patent No. **5,583,859**).

a) **Regarding to claims 5, 6, 11 and 12: Both Woodward and Miles disclosed** all

aspects of these claims as set forth in claims 1, 3 and 4.

Both Woodward and Miles failed to explicitly teach the following subject matters of

these claims: the router system of claim 1 wherein each said chunk is further formatted to

include forward error correction (FEC) coding as recited **in claim 5**; the router system of claim 4

wherein said FEC coding is located adjacent and following said framing symbol as recited **in**

claim 6; the router system of claim 4 wherein each said chunk is further formatted to include a

chunk cyclical redundancy check (CRC) field as recited **in claim 11**; and the router system of

claim 11 wherein said chunk CRC field is located adjacent and preceding said two contiguous

bytes of said framing symbol as recited **in claim 12**.

Feldmeier disclosed such subject matters *(see col.8 lines 49-65).*

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such subject matters as taught by Feldmier with Woodward, so that the location of FEC

field can be located anywhere in a data packet and CRC can be provided in the environment of

the Woodward's invention. The motivation for doing so would have been to reduce errors in

transmitting data information throughout a communication network. Therefore, it would have been obvious to combine Feldmier and Woodward the invention as specified in these claims.

b) **Regarding to Claims 30 and 31**: These claims are rejected for the same reasons as claims 5 and 11, respectively because the method steps claimed can be practice with the apparatus in the claims 5 and 11.

c) **Regarding to Claims 55 and 56**: These claims are rejected for the same reasons as claims 5, and 11 & 12, respectively because the method steps claimed can be practice with the apparatus in the claims 5, and 11 & 12.

6.   **Claims 7-10, 33-36, 49** and **50-52** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Woodward** (US Patent No. **6,151,318**) in view of **Miles** (US Patent No. **6,665,495**) as applied to claims 1 and 25 above, and further in view of **Spendley** (UK Patent Application No. **2,086,184**).

a) **Regarding to Claims 7-10**: **Both Woodward and Miles disclosed** all aspects of these claims as set forth in claim 1.

Woodward and Miles failed to explicitly teach a preamble for a chunk format; and "Break Bytes" and "Make Bytes" fields in a chunk format. However, a preamble is normally used in IEEE 802.3 and 802.4 frame formats to allow a receiving station to acquire clock synchronization before receiving the frame contents.

In addition, both Woodward and Miles failed to teach "Break Bytes" and "Make Bytes" fields.

Spendley disclosed such "Break Bytes" and "Make Bytes" fields *(see page 2 lines 73-100)*, and Spendley did not explicitly disclose "Break Bytes" and "Make Bytes" fields are located at the beginning of a data packet. However, the location of "Break Bytes" and "Make Bytes" fields is a design choice.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such subject matters as taught by Spendley with Woodward, in order to make Woodward more efficient and reliable because "Break Bytes" and "Make Bytes" fields located at the beginning of a data packet in a purpose of preconditioning for an optical receiver to be in proper state before receiving actual data arrived at the receiver. The motivation for doing so would have been to route data information through a SONET properly. Therefore, it would have been obvious to combine Spendley and Woodward the invention as specified in these claims.

b) **Regarding to Claims 33** and **49:** Each of these claims is rejected for the same reasons as claim 7 because the method steps claimed can be practice with the apparatus in the claim 7.

c) **Regarding to Claims 35** and **50:** Each of these claims is rejected for the same reasons as claim 8 because the method steps claimed can be practice with the apparatus in the claim 8.

d) **Regarding to Claims 51** and **52: Woodward and Miles disclosed** all aspects of these claims as set forth in claims 25, 35 and 50.

Woodward and Miles did not clearly teach "Break Bytes" field maintains a 50 percent density of ones and zeros for a laser beam and wherein said "Make Bytes" field reestablishes a decision threshold level of a limiting amplifier within a burst mode optical receiver. However,

such subject matters are used to balance zeroes and ones for transmitting data information going

through an optical switch in a dark period.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such subject matters teaching in the instant claims with Woodward, in order to make

Woodward more efficient and reliable because "Break Bytes" and "Make Bytes" fields located at

the beginning of a data packet in a purpose of DC balance going through in an optical switch.

The motivation for doing so would have been to route data information through a SONET

properly. Therefore, it would have been obvious to combine the instant claims and Woodward

the invention as specified in these claims.

e) **Regarding to Claims 34** and **36: Woodward and Miles disclosed** all aspects of these

claims as set forth in claims 25, 33 and 35.

Woodward and Miles did not clearly teach the subject matters of the claimed

limitations of these claims. However, such subject matters are choices in software programming.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such subject matters teaching in the instant claims with Woodward as design choices in

software programming, so that data information can be routed through a switch fabric more

controllable. The motivation for doing so would have been to route data information through a

switch fabric more controllable. Therefore, it would have been obvious to combine the instant

claims and Woodward the invention as specified in these claims.

7.   **Claims 13, 32** and **54** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Woodward (US Patent No. **6,151,318**) in view of **Miles** (US Patent No. **6,665,495**) as applied

to claims 1, 25 and 32 above, and further in view of **Enns et al.** (US Patent No. **6,658,010**), herein after referred to as Enns.

a) **Regarding to Claim 13**: **Woodward** and **Miles disclosed** all aspects of this claim as set forth in claim 1.

Both Woodward and Miles failed to teach a scrambler seed included in a chunk.

Enns disclosed such a scrambler *(see controller 12 in Fig.2 and col.9 lines 21-25)*.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such a scrambler as taught by Enns with Woodward, in order to save the length of packets, as well as balance zeros and ones of data in a packet. The motivation for doing so would have been to route data information through a SONET properly. Therefore, it would have been obvious to combine Enns and Woodward the invention as specified in these claims.

b) **Regarding to Claims 32** and **54**: **Woodward** and **Miles disclosed** all aspects of these claims as set forth in claim 25.

Both Woodward and Miles failed to teach said formatting includes adding a scrambler seed in a each chunk.

Enns disclosed such a scrambler *(see controller 12 in Fig.2 and col.9 lines 21-25)*.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such a scrambler as taught by Enns with Woodward, in order to save the length of packets, as well as balance zeros and ones of data in a packet. The motivation for doing so would have been to route data information through a SONET properly. Therefore, it would have been obvious to combine Enns and Woodward the invention as specified in these claims.

Woodward, Miles and Enns failed to explicitly disclose wherein said formatting

comprises using said scrambler seed in said chunk to balance zeroes and ones to minimize run

lengths of zeroes and ones by scrambling bits across said chunk. However, a step of balance

zeroes and ones to minimize run lengths of zeroes and ones by scrambling bits across said chunk

is a usual method in a SONET.

At the time of the invention, it would be obvious to a person of ordinary skill in the art to

combine such scrambler seed in said chunk to balance zeroes and ones to minimize run lengths

of zeroes and ones by scrambling bits across said chunk teaching in the instant claims with

Woodward, in order to save the length of packets, as well as balance zeros and ones of data in a

packet. The motivation for doing so would have been to route data information through a

SONET properly. Therefore, it would have been obvious to combine the instant claims and

Woodward the invention as specified in these claims.

Response to Arguments

8.   Applicant's arguments filed on **04/08/2004** have been fully considered but they are not

persuasive.

<u>REMARKS</u>:

9.   In the remarks filed on **04/08/2004**, Applicants traversed the rejection of claims 1-62 that

were originally pending in the application. Applicants have herein amended claims 22 and 23.

The transversal is based on the references of Woodward, Miles, Feldmeier, Spendley and Enns.

Examiner's Objections

The Examiner agrees to the amended abstract.

The Examiner agrees with the Applicants to withdraw the objection to claim 23;

however, the Examiner disagrees with the Applicants on the amendments of this claim since the

Applicants' specification does not edeaquately disclose such amendments.

35 U.S.C. 112 Rejections

The Examiner has rejected **claim 23** under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. Although claim 23 was amended for clarity, the

claimed subject matters of this claim are still not edeaquately disclosed in Applicants'

specification, page 9, lines 13-14 and among other places.

Therefore, the rejection under **35 U.S.C. 112, first paragraph** is still maintained to the

claim 23 (see the described in sections 1 and 2 above).

35 U.S.C. 103 Rejections

A. Combination of Woodward and Miles:

Claims 1-4, 14-22, 24-29, 37-48, 53, and 57-62 were rejected under 35 U.S.C. 103(a) as

being unpatentable over Woodward (U.S. Patent No. 6,151,318), in view of Miles (U.S. Patent

No. 6,665, 495).

Actually, the claimed subject matters of **Claim 1** recited as follows:

A network router system "comprising a switch fabric configured such **that information**

flows through said switch fabric from a plurality of source ports to a plurality of

destination ports in substantially fixed sized chunks, each said chunk being formatted to include a framing symbol.".

However, in the Remarks, the Applicants traversed the claimed subject matters of Claim 1 are different from the claimed subject matters of the claim 1 in the application; wherein, in the Paragraph A of the Remarks, the Applicants recites the claim 1 as follows:

A network router system "comprising a switch fabric configured such **plurality of destination ports in substantially fixed sized chunks, each said chunk being that information flows through said switch fabric from a plurality of source ports to a formatted** to include a framing symbol.".

Even though the claimed subject matters of the claim 1 in the Remarks differ from the claimed subject matters of the claim 1 as claimed by the Applicant, a principle subject matter that the Applicant wanted to emphasize is: **substantially fixed sized chunks**. However, in Figs.1-3, Woodward describes a diagram of multiple ATM cells encapsulated in a single packet *(as shown in Fig.1)* and multiple ATM cells encapsulated within multiple packets *(as shown in Figs.2 and 3)*; wherein, a number of ATM cells *(hence chunks)* can be varied in a single packet or multiple packets, but **the size of each ATM cell is exactly fixed to 53 bytes with 5 bytes of header and 48 bytes of payload** *(see col.3 lines 58-65, and col.2 line 62-col.3 line 6: payload 36 is exactly 106 bytes long (since there are two ATM cells in the packet 30 as shown in Fig.1))*.

Therefore, the rejection of **claim 1** under 35 U.S.C. 103(a) is still maintained.

Similarly, the rejection of **claim 25** under 35 U.S.C. 103(a) is still maintained since Woodward disclosed such **substantially fixed sized chunks** as explained the claim 1 above.

Claims 2-4, 14-22, 24, 26-29, 37-48, 53, and 57-62 have been rejected as described above, depend directly or indirectly from base claim 1 or 25 and therefore inherit all of the limitations of their respective base claims. Therefore, the rejections to these claims are still maintained for the same reasons that of claim 1 or 25 as described above.

Regarding **claim 26**, the rejection of claim 26 under 35 U.S.C. 103(a) is still maintained since Woodward disclosed such **substantially fixed sized chunks** as explained the claim 25 above.

B. Combination of Woodward/Miles/Feldmeier

Claims 5-6, 11-12, 30-31, and 55-56 were rejected under 35 U.S.C. 103(a) as being unpatentable over Woodward, in view of Miles, and further in view of Feldmeier (U.S. Patent No. 5,583,859).

Claims 5-6, 11-12, 30-31, and 55-56 all depend either directly or indirectly from base claim 1 or 25, and accordingly inherit all of the limitations of their respective base claim. Therefore, the rejections to these claims are still maintained for the same reasons that of claim 1 or 25 as described above.

C. Combination of Woodward/Miles/Snendle

Claims 7-10, 33-36, 49, and 50-52 were rejected under 35 U.S.C. 103(a) as being unpatentable over Woodward, in view of Miles, and further in view of Spendley (UK Patent No. 2,086,184).

(Thanks for pointing out the last name; instead of using the last name of Mr. "Spendley",

the Examiner used the first name "Martin" as referring to the UK Patent No. 2,086,184).

Claims 7-10, 33-36, 49, and 50-52 all depend either directly or indirectly from base claim

1 or 25, and accordingly inherit all of the limitations of their respective base claim. Therefore,

the rejections to these claims are still maintained for the same reasons that of claim 1 or 25 as

described above.

Claims 34, 36, 51, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Woodward, in view of Miles, and further in view of Spendley. The grounds for rejections to

these claims were provided edeaquately enough as described in the section 6 above.

D. Combination of Woodward/Miles/Enns

Claims 13, 32, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Woodward, in view of Miles, and further in view of Enns et al. (US Patent No. 6,658,010).

Claims 13, 32, and 54 all depend either directly or indirectly from base claim 1 or 25, and

accordingly inherit all of the limitations of their respective base claim. Therefore, the rejections

to these claims are still maintained for the same reasons that of claim 1 or 25 as described above.

Claims 32 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Woodward, in view of Miles and further in view of Enns. The grounds for rejections to these

claims were provided edeaquately enough as described in the section 7 above.

Conclusion

Based on the facts as described above, the rejections to claims 1-62 are still maintained.

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

<div align="center">**Examiner Information**</div>

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anthony T. Ton whose telephone number is 703-305-8956. The

examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Douglas W Olms, can be reached on (703) 305-4703. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

ATT
6/21/2004

Phirin Sam